

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 1 and 4 have been amended. Claims 1-8 are pending and under consideration. No new matter is presented herein. ✓

**ENTRY OF AMENDMENT:**

It is respectfully requested that this After Final Amendment be entered and reconsideration given to the allowability of the pending claims. According to the agreement in the Examiner Interview conducted May 8, 2003, claim 4 has been amended to more clearly describe the pending claim, without changing the scope and breadth thereof

In addition, in the interview with the Examiner, aspects of the presently claimed invention was more clearly explained. More specifically, Applicant provided the Examiner with potential claim amendments, advancing prosecution and amending the independent claim to clearly distinguish from the presently cited prior art.

The Examiner indicated that, as the present invention was now more clearly understood, if the amendments were made to claims 1 and 4, then the Examiner may reopen prosecution and reconsider the allowability of the pending claims.

Therefore, entry and reconsideration of the allowability of the pending claims is respectfully requested.

**REJECTIONS UNDER 35 USC §112:**

Claim 4 stands rejected under 35 USC §112, second paragraph for defining the invention of the same using method language. Claim 4 has been amended, as indicated in the Examiner interview. Therefore, for at least the above, it is respectfully requested that this rejection be withdrawn.

**REJECTION UNDER 35 USC §103:**

Claims 1, 2 and 8 stand rejected under 35 USC §103(a), being obvious over either Ko et al., EP-1052639, or Kuroda et al., U.S. Patent No. 5,946,277, in view of Ro et al., U.S. 6,288,989. This rejection is respectfully traversed.

First, it is noted that the present application claims both foreign and domestic priority

from as early as June 15, 1998, and June 15, 1999, respectively. Whereas Ko et al. has a publication date of November 15, 2000. Therefore, Ko et al. is not a proper §102 reference and cannot be used to reject the present invention under §103. ✓

The Office Action further sets forth that Kuroda et al. discloses all the claimed features except for the "desired ability of having write protection information stored accordingly," and then utilizes Ro et al. to disclose "the ability of having write protection in this environment. It appears from the description that the write protection information is in the lead in area of the disc."

✓ In an interview conducted May 8, 2003, it was pointed out that if the rejected independent claims were to be amended to clearly detail that the write protection information was stored in the same stages of operation, then the password disclosure in Ro et al. would not be applicable or relevant. Ro et al. sets forth recording passwords, with each password being stored in a different recording operation or stage. The present specification clearly evidences that the storing of write protection information is performed in the same stage or operation (or at the same time). In addition to amending claim 1 to add this "at the same time" feature, independent claim has been briefly further amended, though these amendments are not for patentability reasons, but for preferential claim language and breadth.

Further to the discussion with the Examiner, the following explanation of embodiments of the present application is respectfully submitted:

✓✓ As explained in the interview, embodiments of the present application at least differentiate themselves from the prior art by performing an extra level of verification to determine whether a recording medium is write protected.

While some systems may store data twice or three times, they perform this redundant recording in case one of the stored data cannot be read. In that case, the next stored data would be read, and if the next stored data cannot be read, then the third redundantly stored data would be read. By storing data redundantly, e.g., at least two times, such systems would be assured that at least one of the stored data could be read.

However, embodiments of the present application provide for an additional level of verification beyond such redundancy. By storing at least two write protection information, during the same stage, a more precise write protection state can be accomplished. In one example, if for some reason the first write protection information cannot be read, and the write protection state of a recording medium is changed, then only the remaining second through fourth write

protection information would be changed. Later, when the obstruction on the first write protection information, e.g., a dust particle, is removed the recording medium would incorrectly indicate both write protection and non-write protection, i.e., the write protection indication of the first write protection information would be different from the second through the fourth write protection information. The system in such a situation may cease operation since it cannot be clearly determined the write protection state of the recording medium. However, the extra level of verification provided by in embodiments of the present application allows for such irregularities by determining if at least two of the write protection information match, and use that matching indication be the indicator for the write protection of the recording medium.

With independent claim 1 being amended to clearly indicate that the write protection information is stored at the same time, i.e., storing the write protection at least two times, at the same time, in an RMD (Recording Management Data) field of an RMA (Recording management Area), the write protection information of the presently claimed invention is fundamentally different from the password operation of Ro et al.

In Ro et al., the passwords are stored individually, as needed. When a user desires to enter a password for a data area, then at that time the singular password is recorded. The next password is stored at a later time. This is different from the presently claimed recording of at least two write protection information at the same time.

Thus, since the rejection of independent claim 1 is based on the password disclosure of Ro et al., and since the presently claimed invention of independent claim 1 has been amended to differentiate from the same, it is respectfully requested that this rejection be withdrawn.

In addition, at least based upon their dependency from independent claim 1, it is respectfully submitted that claims 2-8 are also in proper condition for allowance.

#### **CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No.: 10/020,980

Docket No.: 1293.1071D3(STB)

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Please AMEND claims 1 and 4, as follows. The remaining claims have been reprinted as a convenience to the Examiner.

1. (TWICE AMENDED) A [recordable and/or rewritable] recording medium to record data comprising:

[a Lead-in area;

a Lead-out area; and]

a user data area; and

an information area having write protection information;

wherein the recording medium stores at least two write protection information in an RMD (Recording Management Data) field of an RMA (Recording management Area) area, at the same time, to protect the data recorded on the recording medium from unwanted overwriting or erasing.

2. (AS ONCE AMENDED) The recording medium of claim 1, wherein the recording medium satisfies a DVD-RW (digital Versatile Disc Rewritable) specification

3. (AS UNAMENDED) The recording medium of claim 1, wherein the write protection information is stored in physically separate locations at a plurality of times.

4. (TWICE AMENDED) The recording medium of claim 3, wherein the recording medium indicates a write protection state [wherein] when [the] writing protection information [read] from one of the plurality of physically separate locations matches [the] writing protection information read from another one of the physically separate locations[, the recording medium is indicated as being set to a write protection state].

5. (AS ONCE AMENDED) The recording medium of claim 1, wherein the recording medium comprises a recording information area, distinct from the Lead-in area, the Lead-out area and the user data area, and including RMD fields, wherein the RMD fields store information indicative of pre-use certification and defect management in use.

6. (AS UNAMENDED) The recording medium of claim 1, wherein the RMD fields are grouped and the same write protection information is stored in the RMD fields belonging to the same group.

7. (AS ONCE AMENDED) The recording medium of claim 1, wherein the write protection information is stored in a byte position BP3 of RMD field 0, and information indicative of types of recording medium, indicating whether the recording medium satisfies the DVD-RW specification, is stored in byte positions BP0 and BP1 of the RMD field 0.

8. (AS UNAMENDED) The recording medium of claim 1, wherein the recording medium is a bare disc not contained in a case of a cartridge.